

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

W.R. GRACE & Co., *et al.*,¹

Reorganized Debtor.

Chapter 11

Case No. 01-01139 (AMC)

(Jointly Administered)

NOTICE OF APPEARANCE AND REQUEST FOR NOTICES

PLEASE TAKE NOTICE that, pursuant to Rules 2002 and 9010(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rule 9010-1(e)(iii) of the Delaware Bankruptcy Court Local Rules, the undersigned counsel enter their appearance as co-counsel for the State of Montana and the Montana Department of Environmental Quality (collectively “MDEQ”) in the above-captioned case and request that all notices and other papers filed or served in the above-captioned case be served upon the following attorneys:

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¹ W.R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc., or “Grace”) is the sole remaining Reorganized Debtor and Case no. 01-1139 is the sole remaining open chapter 11 case.

PLEASE TAKE FURTHER NOTICE that, pursuant to 11 U.S.C. § 1109(b), the foregoing request includes not only the notices and papers referred to in the Bankruptcy Rules specified above, but also includes, without limitation, any notice, application, complaint, demand, motion, petition, pleading, or request, whether formal or informal, written or oral, and whether transmitted or conveyed by mail, delivery, telephone, electronic filing, facsimile, or otherwise filed or made with regard to the referenced case and proceedings herein.

PLEASE TAKE FURTHER NOTICE that filing of this *Notice of Appearance and Request for Notices* shall not be deemed or construed to constitute a waiver of any substantive or procedural right of MDEQ including, without limitation: (i) the right to have final orders in non-core matters entered only after *de novo* review by the United States District Court for the District of Delaware (the “District Court”), (ii) the right to trial by jury in any proceeding related to this case or any case, controversy, or proceeding related to this case, (iii) the right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, (iv) the right to have any matter in which this Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution heard by the District Court; or (v) any other rights, claims, actions, defenses, setoffs, or recoupments to which MDEQ is or may be entitled, in law or in equity, all of which rights, claims, actions, defenses, setoffs and recoupments are expressly reserved. Unless and until MDEQ expressly states otherwise, MDEQ does not consent to the entry of final orders or judgments by this Court if it is determined that this Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution.

Dated: June 16, 2020

Respectfully submitted,

KELLEY DRYE & WARREN LLP

/s/ James S. Carr

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